

Monroe County District Attorney Sandra Doorley

April 15, 2022

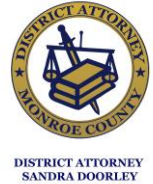


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Monroe County District Attorney's Office Weekly Newsletter



Welcome to the weekly newsletter from Monroe County District Attorney Sandra Doorley.

Message from Sandra Doorley

Gun Crimes and Bail

With the passage of the New York State Budget, there was much discussion about bail reform and qualifying offenses. There were questions and proposals from the Governor's Office about ways to better hold gun offenders pre-trial or to better ensure their return to court.

Passed with the budget on Saturday morning were specific revisions to bail statutes. Relating to gun crimes, are the new qualifying offenses, including Criminal Possession of a Weapon in the 3rd Degree and Criminal Sale of a Firearm to a Minor. Before, these were not bail-eligible offenses.

Besides qualifying vs non-qualifying offenses, judges had a specific list of conditions when determining whether or not to set monetary bail. In the budget, one of the new determinations will now be "whether the charge is alleged to have caused serious harm to an individual or groups of individuals."

Unfortunately, I would have liked to see further expansion on considerations when setting bail, especially for Criminal Possession of a Weapon in the 2nd Degree, a Class C Violent Felony.

With over 100 arrests of CPW 2nd charges as of March 31, 2022 (these are possession cases, not attached to homicides), we still saw over 20% of these defendants released without any monetary conditions. Of those who had bail set, over 30% received less than \$5,000 for cash bail, less than \$25,000 bond, and less than \$30,000 partially secured bond.

A 2014 study conducted by the University of Missouri – St. Louis Public Safety Partnership found that individuals given higher bonds are less likely to commit a new gun-related crime. In fact, the study found that gun offenders with bonds less than \$30,000 were three times more likely than those with higher bonds to be arrested on another gun-related charge over the next two and a half years.



Homicide Update

So far in 2022:

City of Rochester Total: 19

Monroe County Total: 20

Monroe County Heroin Task Force Update

March 2022

Total Reported ODs: 47

Total Fatalities: 8

Year To Date 2022

Total Reported ODs: 166

Total Fatalities: 43

When considering bail on these charges unfortunately judges still may not take into account the dangerousness of a defendant. My office continues to argue that a violent felony may often make a defendant a flight risk. In a time of numerous shootings and violence throughout the state, we must do everything on our part to remove these illegal firearms from our streets and show the community that gun violence is not tolerated.

Sandra

DVSJA Sentence

The Domestic Violence Survivors Justice Act (DVSJA) allows a court to sentence or resentence a defendant who have a history of sexual, psychological or physical abuse that contributed to his or her conviction based on certain criteria.

Patricia Hutton stabbed Antonio Addison on January 10, 2021, at 4 Clay Avenue in the home they shared, causing his death. While evidence did not support a justified homicide, there was a documented history of domestic violence from the victim against the defendant. Patricia Hutton applied for consideration under DVSJA. After reviewing the application and working with Willow Domestic Violence Center, the Monroe County District Attorney's Office agreed that Ms. Hutton was a victim of domestic violence and that the abuse "was a significant contributing factor to the defendant's criminal behavior" under the DVJA statute. A plea of Manslaughter in the 1st Degree was recommended to the Court with DVSJA sentencing to apply. The range reduced the sentence from 5-25 years in the New York State Department of Corrections to 1 – 5 years in the New York State Department of Corrections. Judge Dinolfo sentenced Patricia Hutton to 3 years in the New York State Department of Corrections plus 5 years of Post Release Supervision.

This case was prosecuted by Assistant District Attorney Patrick Gallagher, Chief of the Domestic Violence Bureau.

Highlights from the MCDA's Office

Ninoshka Vazquez pled guilty to the indictment, including two counts of Criminally Negligent Homicide and Assault in the 3rd Degree. This plea comes from the November 27, 2019 vehicular deaths of Elmira Hall and Mila Ruangsuwana, and the vehicular injury to another child in the Town of Brighton. Ninoshka Vazquez will be sentenced by New York State Supreme Court Justice Argento and faces up to 1-3 years in the New York State Department of Corrections.

19-year-old **Samiere Williams** pled guilty to the indictment, including Murder in the 2nd Degree and two counts of Criminal Possession of a Weapon in the 2nd Degree for the July 7, 2020 homicide of Jonathan Disdier in the City of Rochester. Samiere Williams will serve 20 years to Life in the New York State Department of Corrections. On July 7, 2020, Samiere Williams used an illegal handgun to shoot at Jonathan Disdier, striking the victim once and killing him on Coleman Terrace. Rochester Police Officers were called to the scene, where they found Jonathan Disdier. The Rochester Police Department conducted a thorough investigation and quickly identified Samiere Williams, who was 17 at the time of the murder, as the shooter. Because of Williams' age, this matter was handled in front of Judge Romeo in Youth Part Court. The case was prosecuted by Assistant District Attorney Christopher Bokelman, Deputy Chief of the Major Felony Bureau.

31-year-old **Kadeem Pryor** was convicted by a Monroe County Jury of two counts of Criminal Possession of a Weapon in the 2nd Degree and Criminal Possession of a Weapon in the 3rd Degree. On July 16, 2020, after a foot chase with New York State Police Troopers in the area of N. Clinton Avenue and Rauber Street, Kadeem Pryor was arrested for the possession of an illegal firearm. On October 23, 2020, Kadeem Pryor was arrested again for a separate illegal firearm after a different foot chase with Rochester Police Officers. This involved two separate investigations, one led by the New York State Police and the second conducted by the Rochester Police Department. This case was prosecuted by Special Assistant District Attorney Michael Robertson of the Major Felony Bureau.

40-year-old **Chaz Brandon** was convicted by a Monroe County Jury of Criminal Possession of a Controlled Substance in the 3rd Degree and Criminally Using Drug Paraphernalia in the 2nd Degree. On April 10, 2019, a search warrant was executed at Chaz Brandon's house in the City of Rochester. This warrant execution came after the conclusion of a long-term investigation conducted by the Monroe County Heroin Task Force and the Greater Rochester Area Narcotics Enforcement Team. This investigation involved several different targets that were actively bringing fentanyl into Rochester. The search warrant team seized bulk fentanyl and drug paraphernalia inside Chaz Brandon's house. This case was prosecuted by Assistant District Attorney Robin Catalano, Chief of the Special Investigations Bureau and Special Assistant District Attorney Jennifer Kennedy, also of the Special Investigations Bureau.

Douglas Mawson, Jr. was indicted on four counts of Predatory Sexual Assault Against a Child in relation to the sexual abuse of a child less than 13 years old. This case is being prosecuted by Assistant District Attorney Amanda Balling, Deputy Chief of the Special Victims Unit.

Kyle Coon was indicted on charges of Grand Larceny in the 3rd Degree, two counts of Grand Larceny in the 4th Degree, Criminal Possession of Stolen Property in the 3rd Degree and Unlawful Fleeing A Police Officer in a Motor Vehicle in the 3rd Degree in connection with a series of thefts occurring over a three month period that culminated in a multi-jurisdictional vehicle pursuit on March 18, 2022. This case is being prosecuted by Assistant District Attorney John Marsella, of the Public Corruption/Economic Crimes Bureau and Assistant District Attorney Matthew Schiano, of the Non-Violent Felony Bureau.

Kendre Preston was indicted on Manslaughter in the 2nd Degree, Criminal Possession of a Weapon in the 2nd Degree, Criminal Possession of a Weapon in the 3rd Degree, Vehicular Manslaughter in the 2nd Degree, Criminal Possession of a Controlled Substance in the 3rd Degree, Criminal Possession of a Controlled Substance in the 5th Degree, two counts of Driving While Intoxicated, Driving While Ability Impaired by Drugs, and Driving While Ability Impaired by the Combined Influence of Drugs or of Alcohol and any Drug or Drugs in relation to the vehicular death of Benjie Martinez on January 2, 2022. This case is being prosecuted by Assistant District Attorney Raymond Benitez, of the Felony DWI Bureau.

Joseph Peralta was indicted on two counts of Assault in the 2nd Degree and two counts of Endangering the Welfare of a Child in relation to the assault of a female in front of two children on April 6, 2022. This case is being prosecuted by Assistant District Attorney Jessica Wagner, of the Domestic Violence Bureau.

MCDA in the Community

Bivona MOU

Once again, the Monroe County District Attorney's Office joined 22 partner agencies to sign onto a Memorandum of Understanding Agreement with Bivona Child Advocacy Center. First Assistant District Attorney Perry Duckles attended the formal signing to signify another year of inter-agency cooperation with Bivona. Bivona Child Advocacy Center is an incredible resource for children in our community, specifically children who are survivors of abuse. The Monroe County District Attorney's Office looks forward to another year of partnership.



A Monroe County District Attorney's Office Intern, Tabonnie Nesmith, senior at Nazareth College participated in her school's marketing campaign where different internships were highlighted. To hear about Tabonnie's internship experience, check out Nazareth College's official TikTok page!

https://www.tiktok.com/@nazareth.college/video/7078768680565378350?is_from_webapp=1&sender_device=pc&web_id=7065550318939162118



MCDA in the News

<https://www.whec.com/rochester-new-york-news/corner-store-rape-shadad-alghaithy-james-hampton/6443211/>

<https://13wham.com/news/local/das-office-pair-sexually-assaulted-other-victims-at-rochester-corner-store>

<https://spectrumlocalnews.com/nys/rochester/public-safety/2022/04/11/men-accused-in-alleged-rochester-corner-store-rape-appear-in-court#>

<https://www.rochesterfirst.com/crime/rochester-teen-pleads-guilty-to-murder-in-deadly-2020-shooting/>

<https://www.whec.com/rochester-new-york-news/man-pleads-guilty-2020-murder-17-year-old/6446350/>

<https://13wham.com/news/local/man-admits-fatally-shooting-victim-on-coleman-terrace>

<https://www.democratandchronicle.com/story/news/2022/04/14/monroe-county-ny-public-defender-selection-dogged-squabble-lack-transparency/7286659001/>



WE'RE HIRING

We are hiring attorneys! If you are a recent law school graduate or an experienced attorney and are interested in a career in criminal law and public service, apply with us today! More information is available on monroecounty.gov/da.